

# HOUSE COMMITTEE ON JUDICIARY

## A g e n d a

Meeting No. 20

|               |                                 |
|---------------|---------------------------------|
| <b>DATE:</b>  | <b>Wednesday March 22, 2006</b> |
| <b>TIME:</b>  | <b>12:00 PM</b>                 |
| <b>PLACE:</b> | <b>Room 129 Annex</b>           |

1. Call to order and roll call.
2. **SB 11/GA, AN ACT relating to human trafficking. D. Boswell, D. Harper Angel, D. Mongiardo, R. Palmer II, J. Pendleton, J. Rhoads, J. Turner, E. Worley**

*Create a new section of KRS Chapter 509 to define the crime of human trafficking and punish it as a Class B felony.*

3. **SB 38/GA, AN ACT relating to general principles of justification. R. Roeding, D. Thayer**

*Create a new section of KRS Chapter 503 relating to justification for use of force, to provide presumptions and principles relating to the use of force; amend KRS 503.010 relating to definitions to redefine dwelling, and to add definitions of residence and vehicle; amend KRS 503.050 relating to use of force for self protection to extend protection for any felony offense involving the use of force and add provision specifying that a person does not have a duty to retreat; amend KRS 503.070 relating to protection of another to extend protection for any felony offense involving the use of force and add provision specifying that a person does not have a duty to retreat; amend KRS 503.080 relating to protection of property to include robbery and any felony offense involving the use of force and add provision specifying that a person does not have a duty to retreat; create a new section of KRS Chapter 503 to provide immunity from prosecution in certain use of force cases and provide that law enforcement can investigate claims of lawful use of force but cannot make an arrest unless there is probable cause to believe that the use of force was unlawful.*

**4. SB 154/GA, AN ACT relating to Commerce. R. Stivers II**

*Adopt, with some variation, recent amendments to the language of the Uniform Commercial Code published by the Editorial Board of the American Law Institute and the National Conference of Commissioners on Uniform State Laws; include language to update provisions of Article 1 which contains the general provisions applying to the entire code, to harmonize the language with ongoing UCC projects and recent revisions to other articles; include language to update provisions of Articles 2 and 2A which provide a legal framework for leases and sales of personal property, with new provisions to update and modernize the articles, reflecting recent development of business practices and accommodating electronic commerce; include language to update provisions of Articles 3 and 4 of the UCC dealing with payment by checks and other paper instruments to provide essential rules for the new technologies and practices in payment systems; include language to update Article 9 relating to secured transactions; create a new section of KRS Chapter 190 to create a non-UCC statute of limitations specific to retail installment contracts; amend various statutes to conform; repeal KRS 355.1-109, 355.1-110, 355.2-208, 355.2A-207, 378.040, and 382.675.*

**5. SB 179/GA, AN ACT relating to notary publics. T. Buford**

*Create various new sections of KRS Chapter 423 to provide for comprehensive statutory coverage of notary publics, including provisions relating to the purpose of the regulation, definitions, commissioning, applications, electronic notarizations, bonding, education, privacy, notarial authority, notarial prohibitions, fees, journals and record keeping, notarizations forms, signing by mark, official seals, seal vendors, verification of notarial authority, resignations, deaths, misconduct, liability, notarial crimes, grandfathering, and to name the Act the Kentucky Model Notary Act; Provide for a delayed effective date of March 1, 2007; amend KRS 423.010, 423.110, and 423.200 to conform; repeal KRS 64.300, 423.020, 423.050, 423.080, 423.130, 423.140, 423.150, 423.160, 423.170, 423.180, 423.190, and 423.990.*

**6. SB 204, AN ACT relating to county detectives. R. Stivers II**

*Amend KRS 69.360, relating to county detectives, to permit all county detectives to execute process statewide.*

**7. SB 210/GA, AN ACT relating to civil actions. T. Jensen, R. Stivers II**

*Create a new section of KRS Chapter 411 to allow a plaintiff in a civil action where comparative fault becomes an issue, where suit was initiated against the original defendant within the statute of limitations, where the original defendant alleges that a third party caused or contributed to the plaintiff's injury, and where the plaintiff would be barred by a statute of limitations from bringing a claim*

*against that third party to either amend the complaint pursuant to Rule 15 of the Kentucky Rules of Civil Procedure or institute a separate action within ninety days of the filing of the first answer or amended answer alleging such third party's fault; establish that the new cause of action is not barred by any statute of limitations.*

**8. SB 222/GA, AN ACT relating to children with mental illness. J. Pendleton**

*Amend KRS 645.030 to delete provision allowing a hospitalized minor who is at least 16 years of age to consent to continued hospitalization or request release; amend KRS 645.220 to conform; repeal KRS 645.190.*

Adjournment

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